

HMK/jb FS 7865 A-D

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MAN FERROSTAAL, INC.

Plaintiff,

07 CIV 5835(WHP)(KNF)
ECF CASE

-against-

M/V DUBAI JEWEL, her engines, boilers,
tackle, etc., JEWEL MARITIME LTD.,
OASIS SHIP MANAGEMENT LLC,
OASIS MARITIME SERVICES LLC,
SM CHINA CO., LTD.

DISCOVERY PLAN

Defendants.

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Pursuant to Federal Rule of Civil Procedure 26(f), counsel for plaintiff, MAN Ferrostaal, Inc. ("plaintiff"), and counsel for defendants, Jewel Maritime Ltd., Oasis Ship Management, and Oasis Maritime Services, have discussed and agreed to the following discovery plan:

1. Initial disclosures required under the Federal Rule of Civil Procedure 26(a)(1) to be exchanged by December 7, 2007.
2. Both plaintiff and defendants shall serve requests for production of documents, pursuant to Federal Rule of Civil Procedure 34, no later than December 21, 2007.
3. Both plaintiff and defendants shall serve their notices of deposition, pursuant to Federal Rule of Civil Procedure 30, no later than December 21,

2007. Plaintiff anticipates deposing:

(a) Chief Mate or Captain; (b) defendants' surveyors and (c) supervisory shore personnel. (These witnesses are foreign based) Defendants anticipate deposing (a) Plaintiff's representative; and (b) plaintiff's surveyors.

4. Depositions of the parties shall commence after January 2, 2008, at mutually convenient dates and times, without prejudice to either party conducting a non-party deposition beforehand at a mutually convenient date, time and place.
5. Both plaintiff and defendant shall serve subpoenas upon any third party witnesses no later than February 8, 2008, seeking the production of documents and/or depositions.
6. Plaintiff shall serve its expert's report upon defendants, pursuant to Federal Rule of Civil Procedure 26 (a)(2), no later than February 28, 2008. The reports shall set forth the facts on which the expert relies and the process of reasoning by which the expert's conclusions are reached.
- (7) Defendant shall serve its expert's rebuttal report upon plaintiff, pursuant to Federal Rule of Civil Procedure 26(a)(2), no later than March 14, 2008.
- (8) Depositions of the experts shall commence no later than March 28, 2008.
- (9) All discovery shall be complete by April 30, 2008.
- (10) The parties reserve the right to seek or to schedule additional discovery as

may become necessary, so long as it is completed by April 30, 2008.

Dated: New York, New York
November 6, 2007

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